

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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REO COVINGTON,

Plaintiff,

v.

DR. DILIP TANNEN,

Defendant.

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ORDER

16-cv-817-wmc

On March 28, 2018, this court allowed *pro se* plaintiff Reo Covington to proceed on a claim that he was sexually assaulted by defendant Tannen at Oshkosh Correctional Institution. (Dkt. #9.) On January 29, 2019, defendant filed a motion to dismiss for lack of prosecution, representing that Covington (1) failed to appear for his deposition on January 11, 2019, after receiving proper notice sent to the address Covington provided to his supervising probation officer; and (2) failed to respond to a letter requesting a signed authorization to obtain his medical records. (Dkt. #16.) The court set February 13, 2019, as Covington's deadline to oppose the motion. On February 20, 2019, after Covington neither responded to the motion nor communicated with the court in any other manner, the court issued an order directing Covington to respond to defendant's motion and return a signed medical records release to defendant's attorney, and warning him that his failure to do so would subject this lawsuit to dismissal with prejudice for his failure to follow this court's orders and for his failure to prosecute. (Dkt. #17.) While the court set March 6, 2019, as Covington's deadline to comply with those directives, Covington has not filed anything with the court suggesting that he is making efforts to comply with the court's order or otherwise participate in this lawsuit. Accordingly, the court is now granting

defendant's motion and dismissing this case with prejudice for Covington's failure to prosecute. *See James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005).

ORDER

IT IS ORDERED that:

1. Defendant's motion to dismiss (dkt. #16) is GRANTED.
2. Plaintiff Reo Covington's claim is DISMISSED WITH PREJUDICE for failure to prosecute. The clerk of court is directed to enter judgment in defendant's favor and close this case.

Entered this 2nd day of April, 2019.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge